

DECISION MEMO
CENTURYLINK COPPER/FIBER LINES MASTER PERMIT
U.S. FOREST SERVICE
SAN JUAN NATIONAL FOREST

Archuleta, Hinsdale, Mineral, La Plata, San Juan, Montezuma and Dolores Counties, Colorado

BACKGROUND

CenturyTel of Colorado, CenturyTel of Eagle and Qwest Corporation QC own and operate approximately 230 miles of buried and overhead telephone and fiber optic lines throughout the San Juan National Forest. They are all subsidiaries of and do business as (dba) CenturyLink. There are currently 14 special use permits (SUPs) authorizing some of the lines, but the vast majority of the lines are not authorized. Of the 14 SUPs, 9 are expired. Many of these telecommunications lines are within state or county road rights-of-way or strung along existing powerlines, and as such CenturyLink and its subordinate companies and their predecessors assumed in error that they did not need authorization from the U.S. Forest Service to occupy those lands.

For proper administration of National Forest System (NFS) lands, it is imperative that all uses are properly authorized and billed for their use and occupancy. In addition to authorizing the unauthorized lines and re-issuing expired permits, consolidating all existing lines into a Master Permit(s) will significantly reduce the administrative burden in the future and will ensure consistency in the ongoing operations and maintenance activities that are allowed.

A summary of the allowable activities and Environmental Protection Measures are included in the CenturyLink - Operation and Maintenance (O&M) Plan.

The proposed Master Permit(s) addresses on-going operations of existing facilities (No Effect Projects) and emergency situations. Any scheduled upgrades or facility changes that require ground disturbance, installation of new lines or changes to access (May Affect Projects) would be evaluated in a subsequent process that would include project specific considerations and analysis.

The general location of the approximately 230 miles of utility lines are shown on the attached CenturyLink Master Permit Overview Map.

DECISION

I have decided to authorize all existing copper telephone and fiber optic lines that currently occupy NFS lands on the San Juan National Forest (approximately 230 miles) and to allow operation and maintenance activities (No Effect Projects) and emergency situations on these existing utility lines.

This action is categorically excluded from documentation in an environmental impact statement (EIS) or an environmental assessment (EA). The applicable category of actions are identified in agency procedures as *Additional construction or reconstruction of existing telephone or utility lines in a designated corridor* (36 CFR 220.6(e)(2)) and *Issuance of a new special use*

authorization to replace an existing or expired special use authorization, when such issuance is to account only for administrative changes, such as a change in ownership of authorized improvements or expiration of the current authorization, and where there are no changes to the authorized facilities or increases in the scope or magnitude of authorized activities. The applicant or holder must be in compliance with all the terms and conditions of the existing or expired special use authorization (36 CFR 220.6(d)(11)).

36 CFR 220.6(e)(2) authorizes the use and surface disturbance related to the CenturyLink Master Permit special use application. The issuance of new special use authorizations under 36 CFR 220.6(d)(11) is applicable to existing permits under the CenturyLink Master Permit special use application.

I find that there are no extraordinary circumstances that would warrant further analysis and documentation in an EA or EIS. I considered resource conditions identified in agency procedures that should be considered in determining whether extraordinary circumstances might exist:

- Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species – this authorization would have no effect to aquatic or terrestrial proposed, threatened, endangered, or Forest Service sensitive wildlife species, their habitat, or their designated or proposed critical habitat. The authorized area includes habitat and known locations of proposed, threatened, endangered and Forest Service sensitive plant species. With implementation of Environmental Protection Measures this authorization will have no effect on proposed, threatened, or endangered plant species or their designated or proposed critical habitat. The authorization *may adversely impact individuals, but is not likely to result in a loss of viability in the Planning Area, nor cause a trend toward federal listing* for 22 Forest Service sensitive plant species.
- Flood plains, wetlands, or municipal watersheds – this authorization would not change existing protections or continued functioning of municipal watersheds, flood plains or wetlands.
- Congressionally designated areas such as wilderness, wilderness study areas, or national recreation areas – this authorization would have no effect to designated wilderness, wilderness study areas, or national recreation areas.
- Inventoried roadless areas or potential wilderness areas – this authorization would have no effect to the characteristics of inventoried roadless areas or potential wilderness areas.
- Research natural areas – the utility lines included in this authorization are not located within designated research natural areas.
- American Indians and Alaska Native religious or cultural sites – appropriate Environmental Protection Measures are included in this authorization to provide protections for American Indians and Alaska Native religious or cultural sites.
- Archaeological sites, or historic properties or areas – appropriate Environmental Protection Measures are included in this authorization to provide protections for archaeological sites, historic properties or areas. The Colorado Historic Preservation Office has concurred with this finding.

PUBLIC INVOLVEMENT

This action was listed as a proposal on the San Juan National Forest Schedule of Proposed Actions. No comments were received regarding the proposed activities.

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

This decision is consistent with the San Juan National Forest Land Management Plan (LMP). The project was designed in conformance with general direction for Lands and Special Uses (LMP page 137) “ensuring that the wide and growing variety of demands by the public, commercial interests, state and other federal agencies, and tribal and local governments are compatible with environmental protection”.

The Proposed Action would be in compliance with the National Historic Preservation Act, the Endangered Species Act and the Clean Water Act, as summarized above.

ADMINISTRATIVE REVIEW (APPEAL) OPPORTUNITIES

This decision is not subject to administrative appeal or objection processes pursuant to the Consolidated Appropriations Act of 2014 and the Agricultural Act of 2014.

IMPLEMENTATION DATE

The project is planned for implementation in June 2021.

CONTACT

For additional information concerning this decision, contact: Rebecca Smith, Lands and Realty Specialist, Pagosa Ranger District, P.O. Box 310, Pagosa Springs, CO 81147; (970) 264-1521.

KARA
CHADWICK

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Date: 2021.06.15 15:19:31 -0600

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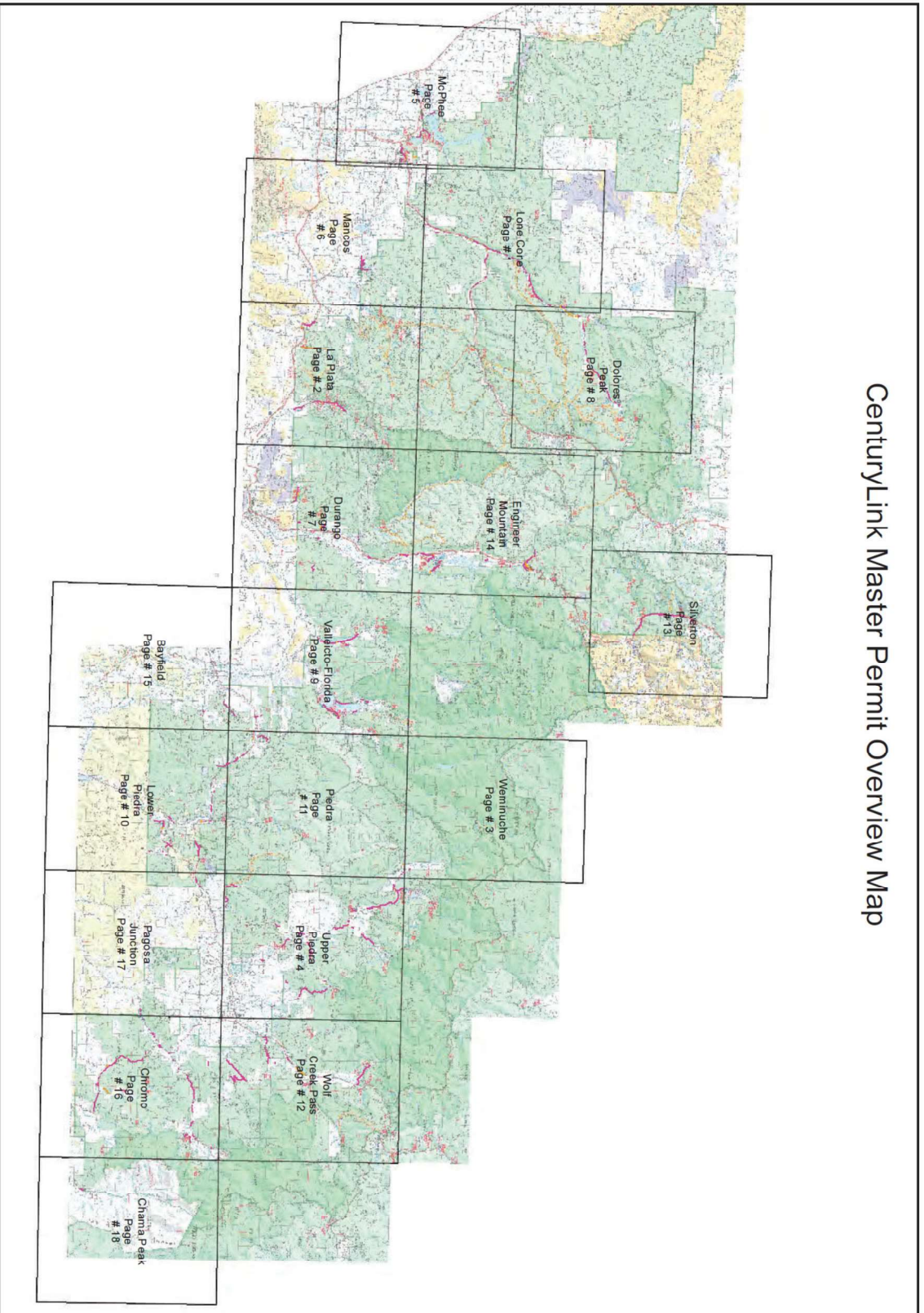
Kara Chadwick
Forest Supervisor

Date

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CenturyLink Master Permit Overview Map



Map Book Page



Aerial Facilities 2019



Buried Facilities 2019

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